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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 IN RE ORMAT TECHNOLOGIES, INC.
11 DERIVATIVE LITIGATION

Lead Case No. 3:18-cv-00439

12 STIPULATION AND ORDER TO EXTEND
13 TIME TO AMEND COMPLAINT/OR
14 RESPOND TO COMPLAINT
15 (Fourth Request)

1 Plaintiffs Melvyn Klein (“Klein”) and Gary Matthew (“Matthew” and, with Klein,
2 “Plaintiffs”), Nominal Defendant Ormat Technologies, Inc. (“Ormat”), and Individual Defendants
3 Todd C. Freeland, Ravit Barniv, Robert F. Clark, Dan M. Falk, David Granot, Stan H. Koyanagi,
4 Yuichi Nishigori, Stanley B. Stern, Byron Wong, Dafna Sharir, Ami Boehm, Gillon Beck, Isaac
5 Angel, and Doron Blachar (collectively with Ormat, “Defendants” and, together with Klein,
6 Matthew, and Ormat, the “Parties”), by and through their respective undersigned counsel, hereby
7 recite and stipulate, subject to Court approval, as follows:

8 WHEREAS on January 24, 2019, the Court granted the Parties’ request to consolidate two
9 substantially similar derivative actions—one filed by Klein on September 11, 2018 captioned *Klein*
10 *v. Freeland, et. al.*, No. 180-cv-00439 and an action filed by Matthew on October 22, 2018
11 captioned *Matthew v. Freeland, et. al.*, No. 18-cv-00500 (the “Consolidated Action”), appointed
12 Klein and Matthew as Lead Plaintiffs in the Consolidated Action and the law firms of Levi &
13 Korsinsky, LLP and Gainey McKenna & Egleston as Co-Lead Counsel, and ordered that the
14 Consolidated Action be temporarily stayed pending the entry of an order on defendants’ motion to
15 dismiss in the Federal Securities Action (the “Stay Order”);

16 WHEREAS, on July 10, 2019, the Court granted Plaintiffs’ Motion for Extension of Time
17 to Serve Foreign Defendants;

18 WHEREAS, all foreign defendants have been properly served and there are no outstanding
19 issues of service in the Consolidated Action;

20 WHEREAS, on December 6, 2019, the Court denied Ormat’s motion to dismiss in the
21 Federal Securities Action in part and granted it in part;

22 WHEREAS, the Stay Order required that thirty (30) days following entry of an order on
23 the motion to dismiss in the Federal Securities Action, that the Parties to the Consolidated Action
24 provide a proposed schedule to the Court for further proceedings;

25 WHEREAS, on March 11, 2020, the Parties attended a mediation session before Jed D.
26 Melnick of JAMS in New York to potentially reach an early resolution of the Consolidated Action;

27 WHEREAS, the Parties continue to meet and confer regarding whether a potential
28

1 resolution of the Consolidated Action can be achieved and have agreed that it would be beneficial
2 at this time to continue their negotiations prior to expending significant additional time and
3 resources;

4 NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:

5 1. The Consolidated Action is stayed for an additional sixty (60) days while the Parties
6 participate in the aforementioned negotiations to explore a potential resolution of the Consolidated
7 Action.

8 2. If, after sixty days, the Parties have not reached an agreement to resolve the
9 Consolidated Action, they will submit a proposed schedule to the Court for further proceedings.

10 DATED: May 8, 2020

Respectfully submitted,

11 **MATTHEW L. SHARP, LTD.**

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By: /s/ John P. Aldrich

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17 *Co-Liaison Counsel for Plaintiffs*

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Counsel for the Individual Defendants

IT IS SO ORDERED:

William G. Cobb
U.S. MAGISTRATE JUDGE

DATED: May 11, 2020